

# Staff Summary Report



Hearing Officer Hearing Date: April 17, 2007

Agenda Item Number: 7

**SUBJECT:** This is a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items located at the **MCPEEK RESIDENCE** located at 2417 South Palm Drive.

**DOCUMENT NAME:** 20070417dssa02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **MCPEEK RESIDENCE (PL070114/ABT07010)** (John McPeck, property owner) Complaint No. CE061831 located at 2417 South Palm Drive in the R1-6, Single Family Residential District.

**PREPARED BY:** Steve Abrahamson, Senior Planner (480-350-8359)

**FINAL REVIEW BY:** Lisa Collins, Planning Director (480-350-8989)

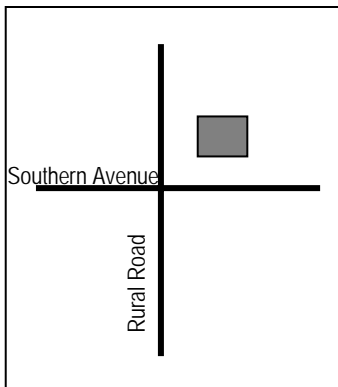
A handwritten signature in black ink, appearing to be 'LC', located to the right of the 'FINAL REVIEW BY' line.

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval

**ADDITIONAL INFO:** The Neighborhood Enhancement Division is requesting approval to authorize the abatement of the **MCPEEK RESIDENCE** located at 2417 South Palm Drive in the R1-6, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Staff recommends the authorization of abatement of this property.



**ATTACHMENTS:**

1. List of Attachments
  2. Comments; History & Facts/Description
- 
- A. Location Map(s)
  - B. Aerial Photo(s)
  - C. Neighborhood Enhancement Report
  - D. Staff Photographs

**COMMENTS:**

The Neighborhood Enhancement Division is seeking approval of a request to authorize the abatement of the **MCPEEK RESIDENCE** located at 2417 South Palm Drive in the R1-6, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Refer to the attached memo and photos from Kirk Erickson, Neighborhood Enhancement Inspector, for the history and facts on the enforcement of the property.

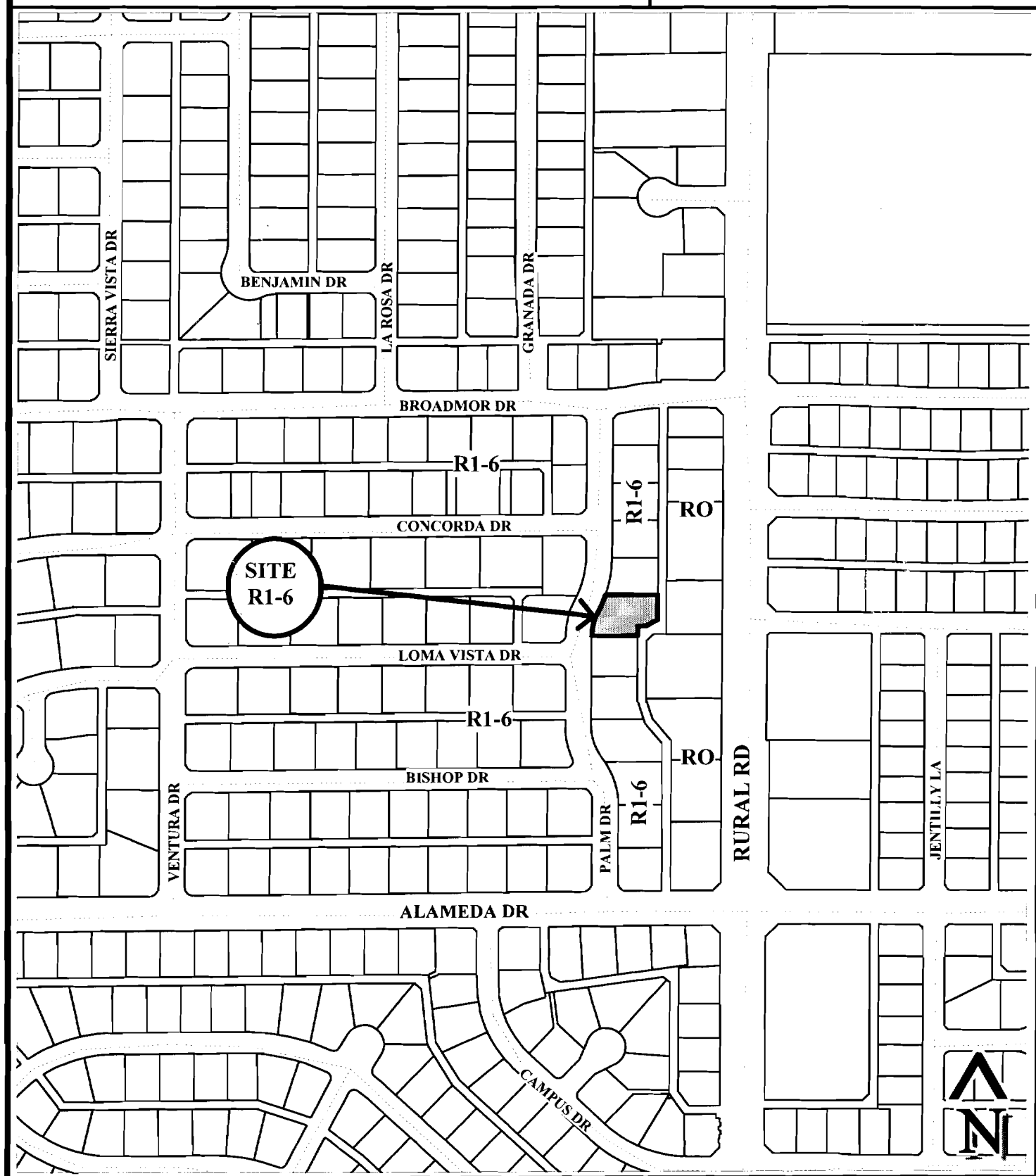
Staff recommends the authorization of abatement of this property.

**HISTORY & FACTS:** See attached memo from the Neighborhood Enhancement Division.

**DESCRIPTION:** Owner – John McPeek  
Applicant – Kirk Erickson, COT Neighborhood Enhancement  
Existing zoning – R1-6, Single Family Residential District

**MCPEEK RESIDENCE**

**PL070114**





MCPEEK RESIDENCE (PL070114/ABT07010)

**DATE:** March 8<sup>th</sup>, 2007  
**TO:** Michael Spencer, Senior Code Inspector  
**FROM:** Kirk Erickson, Code Inspector II  
**SUBJECT:** Request to abate CE061831

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**LOCATION:** 2417 S. Palm Dr, Tempe, AZ 85282

**LEGAL:** Book 133, Map 27, Parcel 067, as recorded with the Maricopa County Assessor

**OWNER:** John Edward McPeek  
2417 S. Palm Dr,  
Tempe, AZ 85282

**FINDINGS:**

04/17/2006 Neighborhood Enhancement received an anonymous complaint regarding a deteriorated fence, trash, and debris in the backyard of the property.

04/21/2007 I completed an inspection of the property and found junk, debris, and outside storage of items in the carport. There was excessive amounts of stored and or discarded items including worn out and inoperable appliances in the backyard, along with four vehicles having no visible registration stored, and a green Dodge Sundance parked in the front grass lawn area with an out of state registration. The first courtesy notice was issued and mailed to the property owner at the property, see attached.

05/23/2006 I conducted a re-inspection of the property following the first notice. There was no visible change in the conditions or violations at the property. A second courtesy notice was issued for corrective action to be taken, see attached.

06/07/2006 I returned to the property for another re-inspection. There was no change or visible improvements to the violations at the property. I issued the first citation for the failure to take corrective action, see citation #1327868. I attempted to contact the property owner by phone, but the phone number listed with the City of Tempe Water Utilities Department was not valid, a search of public records revealed no forms of contact for the property owner. There was no answer at the door of the house.

A registration check of the green colored Dodge Sundance with NY license plate ASJ8022 came up invalid to another vehicle, a Suzuki Grand Vitara.

- 06/07/2006 Photos taken of the property and violations, see attached.
- 06/27/2006 I returned to the property for another re-inspection after finding the first citation was in default for failing to appear. There was no change with the property conditions or violations. The second citation was issued for the repeated violations. See citation #132871. No photos taken since the violations were identical to the first citation photos.
- 07/17/2007 I returned to the property to complete another re-inspection. The items in the carport have been removed and there was additional screening placed over the chain linked rear gate to prevent the viewing of the rear yard without looking over the wall/fence. The backyard conditions appeared to have gotten worse with additional items and vehicles being placed in the backyard. The green colored dodge Sundance in the front lawn was now replaced with a Suburban with AZ license 055VVG, and in violation of lawn parking.
- The third and final citation was issued for the violations. Additionally a final notice was included informing the property owner that continued failure to take corrective action will result in further enforcement actions of the violations. The citation and final notice were mailed by certified mail.
- 09/01/2006 There has been no contact from the property owner or response to any of the citations issued. No further complaints have been received regarding the property.
- 02/12/2007 I received an additional complaint from another anonymous party regarding an open and unprotected trench in the front yard. I inspected the property and found an approximately two foot by eight foot diameter hole in the front yard. I attempted to make contact at the property, and again there was no answer at the front door. There was no change with the stored items and vehicles in the backyard, and there is now a white and blue striped Dodge van parked in the driveway with no visible registration.
- During the visit the water meter was checked, since the WUD records indicated that the water service had been discontinued since July of 2006. The meter was found to be tampered with and had been turned back on. The information was forwarded to the WUD for appropriate action.
- Per the direction of Michael Spencer, Senior Code Inspector, a request for an abatement of the property is to be submitted.
- 03/07/07 The estimate to abate the property of the violations was received from Bishop Inc. for \$1250.00 to remove the excess stored vehicles,

unregistered vehicles, junk/debris, appliances, and to fill in the open trench in the front yard.

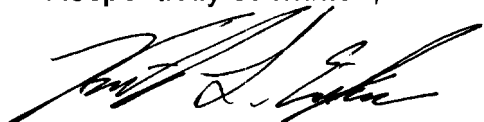
03/08/07 Updated photos taken of the property and violations for the submitted request.

**RECOMMENDATIONS:**

John Edward McPeck is the listed owner of the property located at 2417 S. Palm Dr, Tempe, AZ 85282, Book 133, Map 27, Parcel 067, as recorded with the Maricopa County Assessor's Office. His mailing address is the same as the listed property, with a water billing account maintained until 2006 with the City of Tempe.

Since April of 2006 the property has had multiple violations of Tempe City Code with very little to no improvement, after issuing and serving multiple notices that have resulted in the issuing of citations. There have been attempts to contact the property owner at the property with no success or response. The property has a history of similar violations during the 1990's, with little activity within the past few years. Due to the lack of cooperation from the property owner and the continued violations at the property, I respectfully request the authorization from the Development Services Hearing Officer to abate the violations as indicated in the abatement estimate of the above listed property, in accordance with Tempe City Code 21-53.

Respectfully submitted,



Kirk Erickson  
Code Inspector II

ACTION TAKEN: submit for Abatement  
NAME: Kirk Erickson  
DATE: 03/08/07





**City of Tempe Code Enforcement Division  
Courtesy Notice**

**We need your help to keep our City clean**

Date: Mailed: 04/24/06

**John McPeck  
2417 S. Palm Dr,  
Tempe, AZ 85282**

This is a courtesy notice to inform you that on 04/21/06, 2417 S. PALM DR, TEMPE was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, of the Tempe City Code. If the property is brought into compliance with the code by 05/22/06, you will not be subject to citations or fines for the violation(s). A re-inspection will be conducted on or after the date indicated to verify compliance.

**Violation of the Tempe City Code, Chapter 21, Article I, Section 21-3 (b) (1)**

***Household trash and debris.*** Filthy, littered, debris or trash covered exterior areas, including exterior areas under any roof area not enclosed by the walls, doors or windows of any building; including but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled.

**Violation of the Tempe City Code, Chapter 21-3-b-3**

***Inoperable and unregistered vehicles.*** Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;

**Violation of the Tempe City Code, Chapter 21-3-b-4**

***Lawn parking.*** To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use.. An improved area shall extend to the street and the total area including driveways shall not exceed fifty percent (50%) of the front and side area.

***Improved area*** means an area having a surface of asphalt, concrete, crushed rock, gravel, masonry or wood, maintained free of all vegetation and contained within a permanent curb or border, constructed of asphalt, concrete, masonry, metal, wood or other approved permanent material secured to or embedded in the ground, delineating the improved area from the remainder of the yard area.

**Please take the following corrective action by 05/22/06**

- 1. Please remove the stored and or discarded household items furniture from the carport of the property. All stored and or discarded items are required to be stored within a structure surrounded with walls and a door.**
- 2. Please remove at least two of the vehicles that have been placed in the back yard of the property. Property owners are allowed to keep no more than two vehicles in the back yard of the property as "restoration projects". Refer to the above highlighted area for clarification.**
- 3. Please remove the green colored Dodge Sundance, NY license ASJ8022, from the front grass lawn of the property. The grass area is not considered an improved area for parking. Refer to the above definition of improved area for what is considered acceptable. Additionally, If the vehicle is not under a roofed area in the front of the property it will need to have current registration displayed. Please ensure that the registration is current.**
- 4. Please remove the stored and or discarded debris, appliances, auto parts, tires, and other household items from the back yard of the property. All stored and or discarded items area required to be stored within a structure surrounded with walls and a door.**

I appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Code Inspector    Kirk Erickson**

**Phone Number 480-350-8671**

**email [kirk\\_erickson@tempe.gov](mailto:kirk_erickson@tempe.gov)**

CE21-1 Rev 06/00



**City of Tempe Code Enforcement Division  
Courtesy Notice**

**We need your help to keep our City clean**

**SECOND NOTICE**

Date: Mailed: 05/24/06

**John McPeck  
2417 S. Palm Dr,  
Tempe, AZ 85282**

This is the second courtesy notice to inform you that on 05/23/06, 2417 S. PALM DR, TEMPE was re-inspected and found to still be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, of the Tempe City Code. If the property is brought into compliance with the code by 06/06/06, you will not be subject to citations or fines for the violation(s). Another re-inspection will be conducted on or after the date indicated to verify compliance.

**Violation of the Tempe City Code, Chapter 21, Article I, Section 21-3 (b) (1)**

***Household trash and debris.*** Filthy, littered, debris or trash covered exterior areas, including exterior areas under any roof area not enclosed by the walls, doors or windows of any building; including but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled.

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- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;

**Violation of the Tempe City Code, Chapter 21-3-b-4**

***Lawn parking.*** To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use.. An improved area shall extend to the street and the total area including driveways shall not exceed fifty percent (50%) of the front and side area.

**Improved area** means an area having a surface of asphalt, concrete, crushed rock, gravel, masonry or wood, maintained free of all vegetation and contained within a permanent curb or border, constructed of asphalt, concrete, masonry, metal, wood or other approved permanent material secured to or embedded in the ground, delineating the improved area from the remainder of the yard area.

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- 4. Please remove the stored and or discarded debris, appliances, auto parts, tires, and other household items from the back yard of the property. All stored and or discarded items area required to be stored within a structure surrounded with walls and a door.**

**This is the second notice regarding the violations at the listed property. Failure to take corrective action or to contact the above inspection with a reasonable plan for correcting the violations by the indicated date, may result in the issuing of a citation to the property owner with a minimum fine of \$100.00 for each violation.**

I appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Code Inspector    Kirk Erickson**

**Phone Number 480-350-8671**

**email [kirk\\_erickson@tempe.gov](mailto:kirk_erickson@tempe.gov)**

CE21-1 Rev 06/00

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1327868</b>		Case Number <b>CE061831</b>		Social Security Number <b>526-49-9307</b>		Military <input type="checkbox"/>		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial <input type="checkbox"/> Haz. Material	
Driver's License No. <b>D03112615</b>				DLP <input type="checkbox"/> State <b>AZ</b> Class <b>D</b>		Endorsements <b>M H N P T X D</b>				Incident Report Number			
Defendant Name (First, Middle, Last) <b>JOHN EDWARD McPEEK</b>												Juvenile <b>N</b>	
Residence Address, City, State, Zip Code <b>2417 S. PALM DR. TEMPE, AZ 85282</b>												Residence Phone No. ( )	
Sex <b>M</b>		Height		Weight		Eyes		Hair		Origin		Date of Birth <b>5/26/63</b>	
Business Address, City, State, Zip Code												Business Phone No. ( )	
Vehicle		Color		Year		Make		Model		Style		License Plate	
Registered owner & address, City, State, Zip Code												Vehicle Identification Number	
The Undersigned Certifies That:													
On		Month <b>06</b>		Day <b>07</b>		Year <b>06</b>		Time <b>10:15</b>		<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM		Speed	
At		Location <b>2417 S. PALM DR.</b>										<input checked="" type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona	
The Defendant Committed the Following:													
<b>A</b>	Section: <b>21-3 B1</b>		ARS Violation: <b>CC OUTSIDE STORAGE/JUNK &amp; DEBRIS</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:						
MVD													
<b>B</b>	Section: <b>21-3 B3C</b>		ARS Violation: <b>CC MORE THAN 2 VEHICLES IN B. YARD</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:						
MVD													
<b>C</b>	Section: <b>21-3 B4</b>		ARS Violation: <b>CC LAWN PARKING</b>		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:						
MVD													
<b>D</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:						
MVD													
<b>E</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:						
MVD													
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>06/21/06</b>		Time: Between 9AM & 4PM					
				<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM			
		<input type="checkbox"/> Court:		Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM		Court No. _____			
Court Address, City, State, Zip Code													
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.													
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.													
<b>X MAILED FIRST CLASS</b>													
<div style="display: flex; justify-content: space-between;"> <div> Comments:  Juvenile Notification:  Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____ </div> <div> <b>1ST VIOLATION</b>  <b>\$100.00 EACH \$300.00 TOTAL</b>  Date issued if not violation date _____ </div> </div>													
<div style="display: flex; justify-content: space-between;"> <div> Victim? <input type="checkbox"/> Victim Notified? <input type="checkbox"/> </div> <div> I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant. </div> </div>													
Complainant												PSN <b>8018</b>	

COMPLAINT



1327868

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1327871</b>	Case Number <b>CE061831</b>	Social Security Number <b>526-49-9307</b>	Military <input type="checkbox"/>	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial
Driver's License No. <b>D0311265</b>	DLP <input type="checkbox"/>	State <b>AZ</b>	Class <b>D</b>	Endorsements <b>M H N P T X D</b>	Incident Report Number		
Defendant <b>JOHN EDWARD McPEEK</b>				Juvenile <b>N</b>			
Residence Address, City, State, Zip Code <b>2417 S. PALM DR. TEMPE, AZ 85283</b>				Residence Phone No. ( )			
Sex <b>M</b>	Height	Weight	Eyes	Hair	Origin	Date of Birth <b>5/26/03</b>	Restrictions
Business Address, City, State, Zip Code				Business Phone No. ( )			
Vehicle		Color	Year	Make	Model	Style	License Plate
Registered owner & address, City, State, Zip Code				Vehicle Identification Number			

The Undersigned Certifies That:

On	Month <b>06</b>	Day <b>27</b>	Year <b>06</b>	Time <b>9:35</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace	Direction of Travel
At	Location <b>2417 S. PALM DR.</b>						<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.

The Defendant Committed the Following:

<b>A</b>	Section: <b>21-3 B1</b>	ARS Violation: <b>OUTSIDE STORAGE / JUNK + DEBRIS</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code
MVD					
<b>B</b>	Section: <b>21-3 B3C</b>	ARS Violation: <b>MORE THAN 2 VEHICLES IN B. YARD</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code
MVD					
<b>C</b>	Section: <b>21-3 B4</b>	ARS Violation: <b>LAWN PARKING</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code
MVD					
<b>D</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					
<b>E</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					

You must appear on the date and time indicated at:	Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: <b>07/11/06</b>	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date:	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM
	Court:	Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM Court No.
Court Address, City, State, Zip Code				

Criminal: ☐ Without admitting guilt, I promise to appear as directed hereon.  
Civil: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.

**X MAILED FIRST CLASS**

Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>
I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.	
Complainant <b>[Signature]</b>	PSN <b>8018</b>

Comments: <b>Juvenile Notification:</b> Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____	<b>2nd VIOLATION</b> <b>\$200.00 EACH \$600.00 TOTAL</b> Date issued if not violation date
---	--

COMPLAINT





**City of Tempe Code Enforcement Division  
Courtesy Notice**

**We need your help to keep our City clean**

**FINAL NOTICE**

Date: Mailed: 07/18/06

**John McPeck  
2417 S. Palm Dr,  
Tempe, AZ 85282**

This will serve as the final notice to inform you that on 07/17/06, 2417 S. PALM DR, TEMPE was re-inspected and found to still be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, of the Tempe City Code. If the property is brought into compliance with the code by 07/31/06, you will not be subject to criminal prosecution for the violation(s).

**Violation of the Tempe City Code, Chapter 21, Article I, Section 21-3 (b) (1)**

***Household trash and debris.*** Filthy, littered, debris or trash covered exterior areas, including exterior areas under any roof area not enclosed by the walls, doors or windows of any building; including but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled.

**Violation of the Tempe City Code, Chapter 21-3-b-3**

***Inoperable and unregistered vehicles.*** Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;

**Violation of the Tempe City Code, Chapter 21-3-b-4**

***Lawn parking.*** To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use.. An improved area shall extend to the street and the total area including driveways shall not exceed fifty percent (50%) of the front and side area.

**Please take the following corrective action by 07/31/06**

- 1. Property owners are allowed to keep no more than two vehicles in the back yard of the property as "restoration projects". Re-inspections of the property have shown that there has been continuously more than two vehicles that appear to be inoperable parked in the backyard. Refer to the above highlighted area for clarification.**
- 2. Discontinue parking vehicles on the grass area next to the driveway. The grass area is not considered an improved area for parking. Re-inspections have shown vehicles continue to be parked in that area.**
- 3. Please remove the stored and or discarded debris, appliances, auto parts, tires, and other household items from the back yard of the property. All stored and or discarded items area required to be stored within a structure surrounded with walls and a door.**

**This final notice regarding the violations at this property includes the third and final citation that will be issued. Failure to take corrective action or to contact the below inspector with a reasonable plan for correcting the violations by the indicated date WILL result in a request for criminal prosecution of the property owner that may result in fines up to \$2,500.00 and or up to six months in jail.**

I appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Code Inspector    Kirk Erickson**

**Phone Number 480-350-8671**

**email [kirk\\_erickson@tempe.gov](mailto:kirk_erickson@tempe.gov)**

CE21-1 Rev 06/00



# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1339725</b>		Case Number <b>CE061831</b>		Social Security Number <b>526-49-9307</b>		Military <input type="checkbox"/> Serious Physical Injury <input type="checkbox"/> Accident <input type="checkbox"/> Fatality <input type="checkbox"/> Commercial <input type="checkbox"/> 16 Passenger Vehicle <input type="checkbox"/> Haz. Material <input type="checkbox"/>	
Driver's License No. <b>D03112615</b>				DLP <input type="checkbox"/> State <b>AZ</b> Class <b>D</b> Endorsements <b>M H N P T X D</b>		Incident Report Number	
Defendant Name (First, Middle, Last) <b>JOHN EDWARD MCPEEK</b> Juvenile <b>N</b>							
Residence Address, City, State, Zip Code <b>2417 S. PALM DR. TEMPE, AZ 85282</b>						Residence Phone No. ( )	
Sex <b>M</b>	Height	Weight	Eyes	Hair	Origin	Date of Birth <b>5/26/63</b>	Restrictions
Business Address, City, State, Zip Code						Business Phone No. ( )	
Vehicle		Color	Year	Make	Model	Style	License Plate
Registered owner & address, City, State, Zip Code						Vehicle Identification Number	
The Undersigned Certifies That:							
On	Month <b>07</b>	Day <b>17</b>	Year <b>06</b>	Time <b>09:30</b>	AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	Speed	Approx. Posted
At	Location <b>2417 S. PALM DR.</b>					<input checked="" type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona	Direction of Travel
The Defendant Committed the Following:							
<b>A</b>	Section: <b>21-3 B1</b>		ARS Violation: <b>OUTSIDE STORAGE / JUNK &amp; DEBRIS</b>		<input type="checkbox"/> Domestic Violence Case <input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition: Sanction:		
MVD							
<b>B</b>	Section: <b>21-3 B3C</b>		ARS Violation: <b>MORE THAN 2 VEHICLES IN B. YARD</b>		<input type="checkbox"/> Domestic Violence Case <input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition: Sanction:		
MVD							
<b>C</b>	Section: <b>21-3 B4</b>		ARS Violation: <b>LAWN PARKING</b>		<input type="checkbox"/> Domestic Violence Case <input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition: Sanction:		
MVD <b>AZ 055VVG</b>							
<b>D</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case <input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition: Sanction:		
MVD							
<b>E</b>	Section:		ARS Violation:		<input type="checkbox"/> Domestic Violence Case <input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense		
	Docket Number		Disp. Code:		Date of Disposition: Sanction:		
MVD							
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		Traffic Court Suite 150, 1st Floor Date: <b>07/31/06</b> Time: Between 9AM & 4PM		Criminal Court Suite 200, 2nd Floor Date: Time: AM PM	
		Court:		Date: Time: AM PM		Court No.	
Court Address, City, State, Zip Code							
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.				Victim? <input type="checkbox"/> Victim Notified? <input type="checkbox"/>			
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.				I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.			
<b>MAILED CERTIFIED MAIL</b>				<b>3RD VIOLATION</b>		<b>8018</b>	
Comments: Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply with your 18th birthday. Initials				<b>\$300.00 EACH \$900.00 TOTAL</b>		Complainant PSN	
				Date issued if not violation date			

COMPLAINT



1339725

**Bishop Inc.**

6840 S. Rural Rd. #118-217

Tempe AZ 85283

PH: (602) 339-2032 Fax (480) 413-1691

7327

**Proposal**

Name:	City of Tempe
Address:	
City:	Tempe, Az 85283
Attn:	Code Compliance Dept.

Date	3/05/07
Order #	
Customer #	
Our Order #	

Qty	Description
	Work done at:  2417 S. Palm Dr.  Clean up trash and debris in front and backyard areas.  Fill in large hole in front yard with dirt.  Remove non-working, non-repairable, Broken materials and items in backyard As directed by Code Compliance personal.  Tow away unregistered vehicles on property.  Off duty officer to be on site during abatement.  Price includes all labor, material, and dump fees.

Unit Price	Total

Recd. By: \_\_\_\_\_

Total: \$ 1,250.00

Date: \_\_\_\_\_



City of Tempe  
P. O. Box 5002  
Tempe, AZ 85280  
www.tempe.gov  
(480) 350-8372  
(480) 858-2231 (fax)

Neighborhood Enhancement Division

## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: March 8<sup>th</sup>, 2006

TO: John McPeck  
2417 S. Palm Dr,  
Tempe, AZ 85282

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

**LEGAL:** Book 133, Map 27, Parcel 067, as recorded with the Maricopa County Assessor.

**LOCATION:** 2417 S. Palm Dr, Tempe, AZ 85282

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of April 17<sup>th</sup>, 2006 at 1:30 pm. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

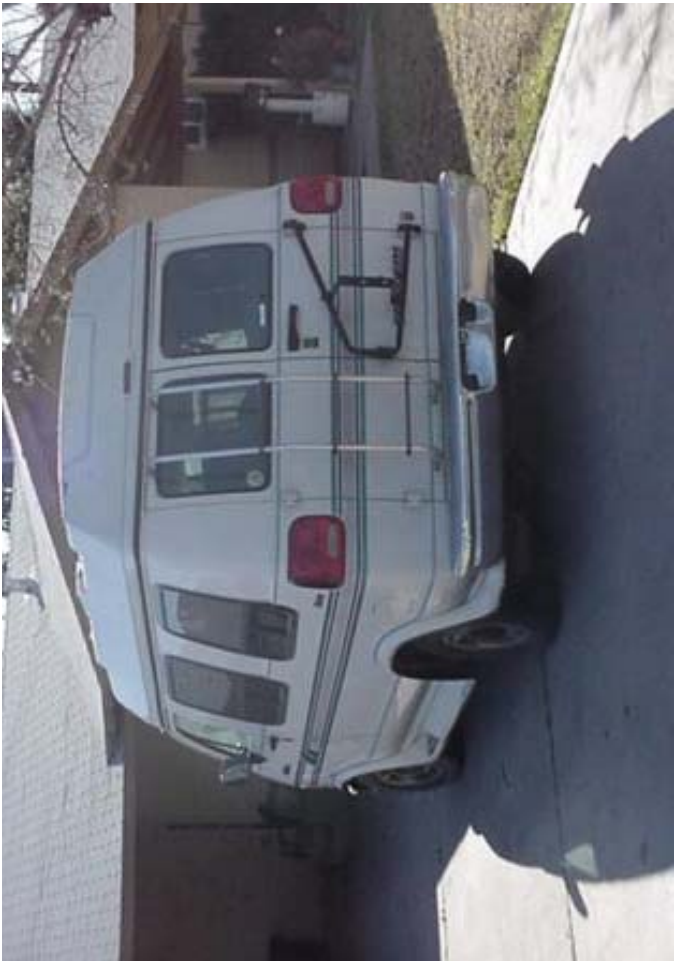
- Removal of all stored and or discarded household items, and non-working or non-repairable items in violation of Tempe City code 21-3.b1.
- Filling in of the trench located in the front yard of the property that is in violation of Tempe City Code 21-3.b13.
- Removal of any unregistered vehicles or excessive amounts of stored vehicles that are in violation of Tempe City Code 21-3.b3.

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$1250.00. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480) 350-8372.

Code Inspector: Kirk Erickson

Phone Number 480-350-8671







D2

